

REMARKS

In the Final Office Action, the Examiner rejected claims 38-41, 44-46, 48-51, 54-56, 58-61, 64-66, and 68-70 under 35 U.S.C § 103(a) as being unpatentable over U.S. Patent 6,987,945 to Corn et al. ("*Corn*") in view of U.S. Patent No. 6,178,407 to Lotvin et al. ("*Lotvin*"). The Examiner also rejected claims 47, 57, and 67 under 35 U.S.C § 103(a) as being unpatentable over *Corn* and *Lotvin* in view of U.S. Published Patent Application No. 2002/0032790 to Linderman ("*Linderman*").

Applicants propose to amend claims 38, 48, 58, and 68, and add new claims 71-73. Upon entry of this amendment, claims 38-41, 44-51, 54-61, and 64-73 would be pending.

Applicants thank the Examiner for conducting the June 15, 2010 telephonic interview with Applicants' representative. During the interview, the Examiner and Applicants' representative discussed the claims and the cited references.

Applicants respectfully traverse the rejection of claims 38-41, 44-46, 48-51, 54-56, 58-61, 64-66, and 68-70 under 35 U.S.C § 103(a) as being unpatentable over *Corn* in view of *Lotvin*.

Independent claim 38 recites a method for providing access to an electronic course that is hosted by an external system, the method including:

communicating at least one command from the server to the external system, in order to provide the user access to the at least one selected course, wherein the selected course is received by the client device from the external system for playing on the client device.

Combinations of *Corn* and *Lotvin* fail to teach or suggest at least these features of independent claim 38.

Corn discloses web pages 8, 10, and 12 stored on web server 4. *Corn*, col. 7, lines 49-55; and Figure 1. But web server 4, for example, does not communicate with any "external server" to provide web pages 8, 10, and 12 to a user.

On page 3 of the Office Action, the Examiner agrees that *Corn* does not teach or suggest the "external system" and instead relies on *Lotvin*. *Lotvin* discloses a third party provider as allegedly constituting the claimed "external system," and also discloses a user computer and a central computer. *Lotvin*, Figure 14. In *Lotvin*'s configuration, the central computer sends the address of the third party provider to the user's computer. *Lotvin*, col. 13, lines 20-23. The user's computer then directly accesses educational content from the third party provider. *Lotvin*, col. 13, lines 23-26.

But there is no communication from *Lotvin*'s central computer (alleged "server") to *Lotvin*'s third party provider (alleged "external system"). Accordingly, *Lotvin* cannot teach or suggest "communicating at least one command from the server to the external system, in order to provide the user access to the at least one selected course," as recited in claim 38 (emphasis added).

On page 6 of the Final Office Action, the Examiner alleged that one of ordinary skill would modify *Corn* to provide links to web pages 8, 10, and 12, which would be located on an external third party content provider (similar to *Lotvin*'s third party content provider) instead of *Corn*'s web server 4. But even with the proposed modification, *Corn*'s web server 4 would not "communicat[e] at least one command" to any "external system," and would just provide a link to web pages located on the third party content provider. Office Action, page 6. Thus, the Examiner's proposed combination of *Corn* and *Lotvin* still would not teach or suggest "communicating at least one command from

the server to the external system, in order to provide the user access to the at least one selected course," as recited in claim 38 (emphasis added).

Independent claim 38 further recites "transmitting, by the server, a track command to the external system for tracking the user activity through the at least one selected course." Combinations of *Corn* and *Lotvin* also fail to teach or suggest these features of claim 38.

Corn discloses electronic device 16 accessing a web page, which includes an Applet 14, from web server 4. *Corn*, col. 11, lines 30-35. Applet 14 tracks a length of time that a user of electronic device 16 spends on the web page. *Corn*, col. 11, lines 30-35. But *Corn*'s Applet 14 does teach or suggest "transmitting, by the server, a track command to the external system for tracking the user activity through the at least one selected course," as recited in claim 38 (emphasis added), at least because *Corn* is silent with respect to any "external system."

The Examiner's modification to *Corn* to include the third party content provider also does not teach or suggest these features of claim 38. In this alleged combination, *Corn*'s web pages 8, 10, and 12 (and their corresponding Applets 14) would reside on an external third party content provider. See Office Action, page 6. Even if this combination is possible (which Applicants do not concede), *Corn*'s web server 4 would still not "transmit[] . . . a track command" to the external third party content provider. Instead, the Applet 14 would be directly transmitted from the external third party content provider to electronic device 16 to track the amount of time a user spent viewing the content. *Corn*, col. 3, lines 34-44.

For at least these reasons, combinations of *Corn* and *Lotvin* fail to teach or suggest claim 38. Independent claims 48, 58, and 68-70, while of different scope than claim 38, distinguish over *Corn* and *Lotvin* for reasons similar to claim 38. Claims 39-41, 44-46, 49-51, 54-56, 59-61, and 64-66 distinguish over *Corn* and *Lotvin* at least due to their dependence from one of the independent claims.

Applicants respectfully traverse the rejection of claims 47, 57, and 67 under 35 U.S.C § 103(a) as being unpatentable over *Corn* and *Lotvin* in view of *Linderman*.

Claims 47, 57, and 67 depend from claims 38, 48, and 58, respectively, and include all recitations therein. As discussed previously *Corn* and *Lotvin* fail to teach or suggest claims 48, 58, and 68. *Linderman* fails to cure the deficiencies of *Corn* and *Lotvin* by also failing to teach or suggest the above-identified recitations of claim 38, and similar recitations of claims 48 and 58. Accordingly, combinations of *Corn*, *Lotvin*, and *Linderman* fail to teach or suggest claims 47, 57, and 67. New claims 71-73 are allowable at least due to their dependence from one of the independent claims.

Applicants respectfully request that the Examiner enter this Amendment under 37 C.F.R. § 1.116, placing the claims in condition for allowance.

In view of the foregoing, Applicants submit that the amended claims are neither anticipated nor rendered obvious in view of the applied references. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration of the application, and the timely allowance of the pending claims.

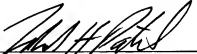
Please grant any extensions of time required to enter this response and charge
any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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